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PART IV.

Legislative measures and Rules thereunder.

NOTIFICATION.

No. L. 7453—*Ml.* 133-34-9, *dated* 30*th March* 1936.

In exercise of the powers conferred by Section 228 (2) (c) of the Mysore City Municipalities Regulation, 1933, and all other powers in this behalf and in supersession of the existing rules on the subject, the Government are pleased to make the following rules for regulating the rates of fees for copying and search and grant of copies of public documents in the custody of City Municipal Councils in the State :—

Rules.

1. Except to a Municipal Councillor or a Government servant who is entitled, on formal application, to copies of such of the Municipal documents as are required by him in connection with *bona fide* Municipal matters or for Government purposes, no copy of any public document shall be given without the previous sanction of the President or the Municipal Commissioner as the case may be.

2. Fees shall be charged at the following rates for furnishing copies of public documents :—

	Rs.	a.	p.	
(1) for typing 100 English words	0	3	0	
(2) for copying 100 English words ...	0	2	0	
(3) for copying 100 Kannada words ...	0	1	6	
(4) for searching one year's records ...	1	0	0	
(5) for searching subsequent year's record ...	0	8	0	for every year.
(6) for searching khirdi extracts :—				
(i) for first year ...	0	12	0	
(ii) for subsequent years ...	0	6	0	for each year.
(7) for copying khirdi extracts :— (tabular statements)				
(i) for 12 years ...	0	12	0	
(ii) above 12 years ...	1	8	0	

If the original in respect of 1 to 3 above is a tabular statement, fees at double the above rates will be charged.

For every certified copy of a map, sketch or plan or any portion of a map or plan, a fee not exceeding Rs. 5 and not less than Re. 1 shall be charged at the discretion of the President or the Municipal Commissioner as the case may be.

3. Every fee payable in accordance with the foregoing scale shall be paid at the Municipal Office in cash in advance and in court fee stamps affixed to the application.

4. The amount of all fees so received shall be entered in a separate book to be kept for this purpose by the Manager of the Municipal Office.

5. The copying fees recovered as above will be apportioned as follows :—

	Rs.	a.	p.	
(1) Typed copies	0	2	0	Typist
	0	1	0	Examiner
(2) English copies	0	1	4	Copyist
	0	0	8	Examiner
(3) Kannada copies	0	1	0	Copyist
	0	0	6	Examiner
(4) Khirdi extracts—				
(i) for 12 years ...	0	9	0	Copyist
	0	3	0	Examiner
(ii) above 12 years ...	1	2	0	Copyist
	0	6	0	Examiner
(5) For Map or Plan ...	3/4 fees—Copyist 1/4 fees—Examiner			
(6) Searching fee	Clerk who searches the records.			

6. Nothing in these rules shall be deemed to affect the provisions of the Stamp Regulation or Court Fees Regulation. The Stamp duty or Court fee with which any application, copy or extract made or furnished under these rules may be chargeable is to be deemed to be in addition to the fees prescribed by Rule 2 *supra* and care is to be taken that the rsquirements of the Stamp Regulation and Court Fee Regulation are properly fulfilled in respect of every such application, copy or extract.

7. No copies shall be given of any public document of which privilege can be claimed under Sections 123 and 124 of the Evidence Act.

8. All documents which the public have a right to inspect shall be open to inspection in the Municipal Office during the office hours.

9. No document of any kind belonging to the Municipal Council shall, on any account, be taken away from or sent out of the Municipal Office except with the previous permission of the President or the Municipal Commissioner as the case may be.

By Order,

A. V. RAMANATHAN,
Chief Secretary to Government.

Printed by the Superintendent at the Government Press, Bangalore.

SECTION 1—LICENSING OF SUGAR FACTORIES.

1. Any person intending to carry on the business of manufacturing sugar in a factory shall apply for a license to the Secretary to the Government in the Department concerned.

2. The application shall bear a Court Fee Stamp of the value of Rs. 25.

3. Unless the application is summarily rejected, the particulars of the application and the conditions subject to which it is proposed to grant a license shall be published by the Government in the *Mysore Gazette*, fixing a date on or after which the matter will be taken into consideration together with any objections that may be received in the meantime.

4. The conditions of a license already granted may be varied by Government from time to time after giving adequate notice and an opportunity of urging objections, to the interests concerned.

5. (*a*) The minimum price or prices at which sugarcane shall be purchased by a factory shall be fixed and notified by Government from time to time.

(*b*) If an advisory Committee is established for the purpose of fixing the price or prices of sugarcane in any area, it shall consist of a Chairman and not less than three, and not more than six members nominated by the Government, of whom not less than one-third shall be chosen to represent the interests of the sugar factory or factories concerned and not less than one-third to represent the interests of sugar-cane growers in the area. The Chairman shall be a person who has no interest directly or indirectly in the sugar industry.

(*c*) The Committee shall from time to time advise the Government as to the price or prices which may be fixed under Sub-Rule (*a*) and any matters connected therewith that may be referred to it by Government for advice.

(*d*) The Committee shall meet at such itmes and places as, subject to the orders of Government, if any, may be appointed by the Chairman.

(*e*) The opinion of the majority of the members present at a meeting shall be regarded as the opinion of the Committee. The Chairman shall have a casting vote.

(*f*) The proceedings of the Committee shall be reported to Government.

6. The "owner of a sugar factory" means a person to whom a license has been issued under Section 5 of the Regulation. The licensee may, with the approval of the District Magistrate, designate any person concerned with the management of the factory as "owner" for the purpose of any or all of these rules.

7. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for such factory from any person other than (i) the grower of such cane or a person representing himself to be such grower or (ii) a person duly authorised in writing by such a grower to sell and deliver cane on his behalf or (iii) a co-operative society for cane supply or (iv) a licensed purchasing agent.

8. Any person wishing to act as a purchasing agent for the supply of sugarcane to a sugar factory shall apply to the District Magistrate for a license; such license shall not be granted unless (i) a fee of Rs. 25 is deposited with the District Magistrate, (ii) the application is recommended by the factory owner and (iii) the applicant has deposited with the owner the amount prescribed in Rule 9.

9. Such licensed Purchasing Agent shall deposit with the owner of a factory a sum of Rs. 500 in cash or adequate security of four times that value for the proper performance of his duties as Purchasing Agent.

10. The owner of a sugar factory or a licensed purchasing agent shall not purchase sugarcane for a factory or pay for it at a price below the minimum price fixed by Government from time to time.

11. (*a*) All payments for cane purchased for a sugar factory shall be made at the office of the factory or such other place as may be approved by the District Magistrate, within 14 days of demand, and in cases where no cultivation or cutting advances are given by the factory, the payment shall be made forthwith on demand.

(*b*) Except as provided in sub-rules (*c*), (*d*) and (*e*) of this Rule, no deductions shall be made by way of fine or otherwise from the price of cane purchased which would reduce such price to a figure below that calculated at the prescribed minimum rate.

(*c*) If any loan has been advanced to the person from whom the sugarcane has been purchased, the amount of such loan together with simple interest thereon at a rate not exceeding 1 per cent per month for the period the loan has been outstanding, may be deducted subject to the terms of the agreement, from the amount paid for the cane.

(*d*) Where with the consent of the supplier, transport of the cane to the factory is arranged by the owner of the factory by railway or otherwise, the actual cost of such transport incurred by the owner may be deducted from the amount payable as price of cane.

(*e*) If any officer of Land Revenue not below the status of Amildar intimates to the owner of a sugar factory that any amount is owing from a cane supplier on account of land revenue in respect of a land from which the cane is supplied to the factory, such amount shall be deducted from the amount payable for the cane and paid to such Amildar or other Revenue Officer.

12. No scales or weights shall be used for purposes of purchasing sugarcane by or on behalf of the owner of a sugar factory or a licensed purchasing agent, which have been disapproved by the District Magistrate.

(*a*) Provided that the District Magistrate shall not disapprove any scales and weights which weigh correctly to near 2 per cent.

(*b*) All scales and weights used, kept or possessed for the purchase of sugarcane, shall be open to inspection, examination and test by the District Magistrate or any other Magistrate authorised in this behalf by the District Magistrate, at all times without notice and shall be made available for such inspection, examination or test when required by such Magistrate.

13. (*a*)—The owner of a sugar factory or a licensed purchasing agent (other than a co-operative society for cane supply) shall cause to be put up throughout the cane purchasing season, at each purchasing centre, a notice showing correctly the minimum price or prices fixed by Government and the rates at which cane is being purchased for the sugar factory at that centre.

(*b*) Entries in such notices shall be made legibly both in English and Kannada and shall be on one side of the paper only.

14. The owner of a sugar factory shall cause to be maintained a register or registers showing :—

(*a*) the name of the person from whom sugarcane is purchased, with his parentage and full address, together with similar particulars about the person, if any, authorised by the vendor to deliver the cane on his behalf ;
(*b*) Weight of the cane purchased ;
(*c*) the rate at which it is purchased ;
(*d*) the price that is to be paid for it at that rate ;
(*e*) the amount of loan advanced, if any ;
(*f*) the amount of interest up to the date of recovery of the same, if any ;
(*g*) other deductions such as transport charges, land revenue payments, etc.,
(*h*) the amount actually paid, if any ;
(*i*) the date of payment ;
(*j*) the name of the licensed purchasing agent or the person employed by the owner of the sugar factory and acting on his behalf, by whom the sugarcane is purchased.

15. Whoever, being the owner of a sugar factory or being a licensed purchasing agent for a sugar factory,

(*a*) purchases sugarcane for a sugar factory or pays for it at a price below the prescribed minimum price ;
(*b*) fails to make payments for cane purchased for a sugar factory in accordance with the provisions of rule 11 ;
(*c*) knowingly uses for the purchase of sugarcane, scales and weights which are incorrect or which have been disapproved by the District Magistrate and have not been rectified to his satisfaction ;
(*d*) fails to make available for inspection, examination or test by the officer authorised in this behalf, the scales and weights used, kept or possessed for weighing sugarcane purchased for a sugar factory ;
(*e*) fails to put up in the manner prescribed any notice required by these rules or puts up a notice which is proved to be incorrect in any material particular ;
(*f*) fails to maintain any register as required by these rules or maintains a register containing an entry which is proved to be incorrect in any material particular ;
(*g*) destroys such register before the expiry of one year from the date of the last entry therein ;
(*h*) fails to make available the register for the inspection of the officer authorised in this behalf when required by him ;

Shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200 and if a licensed purchasing agent shall render himself liable to the confiscation of his license.

16. Whoever, not being a licensed purchasing agent, purchases sugarcane for a sugar factory shall on conviction

before a Magistrate be punishable with fine which may extend to Rs. 200.

17. Any person selling sugarcane to a sugar factory, falsely representing himself as the grower of such cane or as a person duly authorised by the grower, shall on conviction before a Magistrate be punishable with fine which may extend to Rs. 200.

18. The Government may, for special reasons, exempt the owner or licensed purchasing agent of any sugar factory from all or any of the provisions of these rules.

No. P. 6529—Legis. 46-35, dated Bangalore, the 30th March—17th April 1936.

Subject.—Reciprocal arrangements between the Civil and Military Station of Bangalore and the Mysore Government in the matter of taxes and tolls on motor vehicles.

In virtue of powers vested in them under Sections 13, 22 and 31 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to exempt from taxes, in the manner and to the extent specified below, the following motor vehicles of the Civil and Military Station, Bangalore, which carry the current tax licenses or tokens of